

## Message Text

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ACTION IO-14

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 ISO-00  
HA-05 CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03  
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FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC IMMEDIATE 8120  
INFO AMEMBASSY ANKARA IMMEDIATE  
AMEMBASSY ATHENS  
AMEMBASSY NICOSIA IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 2 USUN 5158

E.O. 11652: GDS  
TAGS: PORG, CY  
SUBJECT: CYPRUS MISSING PERSONS

REF: USUN 5107

1. AFTER SERIES OF CONVERSATIONS NOVEMBER 30 AND DECEMBER 1 WITH PAPADOPOULOS, AGREEMENT WAS REACHED ON PARA 12, DISINTERMENT. HE SAID HE WOULD BE CRITICIZED BY THE COMMITTEE OF RELATIVES FOR HIS ACQUIESCENCE BUT HE BELIEVED THIS WAS A JUSTIFIABLE FOMULATION. PAPADOPOULOS INSISTED IN PARA 6 THAT "ACCESS" BE RETAINED. ON THIS POINT HE WAS ADAMANT. WE TRIED VARIOUS ALTERNATIVES WHICH HE REJECTED OUTRIGHT. PAPADOPOULOS STOPPTED SHORT OF REFUSING CATEGORICALLY THE DELETION OF "THROUGHOUT THE ISLAND" IN THIS SENTENCE WHICH WE BELIEVE HE MIGHT ACCEPT IF THE TURKS AGREED TO THE REST OF THE WORKING PAPER. WE ARE NOT CERTAIN OF PAPADOPOULOS' ACCEPTANCE OF THIS DELETION; A FURTHER, AND WE HOPE, FINAL CONCESSION FROM HIM WOULD BE REQUIRED. WE BELIEVE HOWEVER, THERE IS A GOOD CHANCE OF PAPADOPOULOS AGREEING TO THIS LAST CHANGE IF HE IS SATISFIED ON THE  
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DECISION-MAKING PROCEDURE, I.E., PARAS 1 AND 2.

2. PARA 12 ON DISINTERMENT REPRESENTS A PROMISING BARGAINING CHIP WITH THE TURKS. PAPADOPOULOS GAVE US MORE ON THIS PARA THAN WE ANTICIPATED. AS IT IS NOW WORDED, IT PROHIBITS EXHUMATION DURING THE LIFE OF THE COMMITTEE; THIS IS PRECISELY WHAT THE TURKS ASKED FOR.

IT DOES ALLOW THE COMMITTEE TO RECOMMEND (AND AFTER ALL, IT MAY NOT SO RECOMMEND) THE ICRC A NEUTRAL, THIRD PARTY, NEITHER GREEK NOR TURK, TO EXHUME WITH THE COOPERATION OF THE PARTIES. COOPERATION OF THE PARTIES SHOULD HELP THE TURKS; IT MEANS CONVERSELY THAT WITHOUT THE COOPERATION OF DENKTASH, THE ICRC WON'T GET VERY FAR IN EXHUMING IN THE NORTH. IT SEEMS TO US THAT THE GREEK SIDE, BY AGREEING TO THIS WORDING, REVEALED A GENUINE COMMITMENT TO ESTABLISHING THE COMMITTEE. WE HOPE THE TURKS WILL ACKNOWLEDGE THIS WITH A MATCHING LEVEL OF COMMITMENT IN THE PHRASING IN PARAS 2 AND 6.

3. WITH REGARD TO PARA 2 AND THE ISSUE OF DECISION-MAKING, PAPADOPOULOS HAS INSISTED, AND WE BELIEVE NOT UNJUSTIFIABLY, THAT SOME REASONABLY EXPLICIT EVIDENCE OF MAJORITY VIEW MUST BE INCLUDED IN EITHER PARA 1 OR 2. AS THE DEPARTMENT WILL RECALL, AN EARLIER WORKING PAPER INCLUDED A SECOND SENTENCE IN PARA 2 TO THE EFFECT THAT WHEN CONSENSUS WAS NOT POSSIBLE, THEN MAJORITY VIEW WOULD PREVAIL. THIS WOULD REPRESENT THE MOST PRECISE MANNER OF EXPRESSING THE DECISION-MAKING PROCEDURE. AS ALTERNATIVES WE SUGGESTED AND TURKMEN REJECTED IN PARA 1: "COMMITTEE ON MISSING PERSONS IN CYPRUS WILL BE FORMED IMMEDIATELY CONSISTING OF THREE (VOTING) MEMBERS, (WHO WILL DECIDE ON ISSUES AS NECESSARY BY VOTING), (WHO WILL DECIDE ON ISSUES AS NECESSARY BY PARLIAMENTARY PROCEDURE).  
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LANGUAGE IN PARENTHESES REPRESENTS PAST, BUT UNACCEPTED BY TURKMEN, EFFORTS ON OUR PART. SOMETHING ALONG THESE LINES WE THINK WOULD SATISFY THE GREEKS, ALTHOUGH THEY WOULD CLEARLY PREFER THE MORE EXPLICIT WORDING IN PARA 2. ANOTHER ALTERNATIVE AS WE HAVE SUGGESTED BEFORE WOULD BE A SEPARATE MINUTE OF UNDERSTANDING TO COVER BOTH THIS POINT ON PARLIAMENTARY PROCEDURE ON THE COMMITTEE'S "ACCESS THROUGHOUT THE ISLAND," PARA 6.

4. FURTHER ON PARA 6, PAPADOPOULOS STATED EMPHATICALLY THAT THIS PARA AS WORDED WAS THE MINIMUM POSITION OF THE GOC. "TO FACILITATE ACCESS," OR "TO ENSURE MOBILITY" OR OTHER COMBINATIONS WHICH WE PUT FORWARD WERE SIMPLY NOT ACCEPTABLE. HE EXPLAINED THAT HE IS ALREADY UNDER FIRE FROM NICOSIA FOR NOT INSISTING ON "SIMULTANEOUS AND PARALLEL" IN PARA 8; HE CANNOT RETURN TO NICOSIA WITHOUT "ACCESS" IN PARA 6. AS NOTEED ABOVE, IF "ACCESS" IS RETAINED, THERE IS A POSSIBILITY HE MIGHT AGREE TO DELETING "THROUGH THE ISLAND." HOWEVER, BEFORE WE REACH THIS POINT, A SEPARATE MINUTE OF UNDERSTANDING TO INCLUDE THE PROBLEMS OF ACCESS AND DECISION-MAKING SHOULD BE EXPLORED.

5. WE MET WITH AMB. TURKMEN AT 3:00 PM. HE SAID THAT THE RESPONSE FROM ANKARA INDICATED THAT WORKING PAPER NO. 3, REV. 3 REPRESENTED TURKEY'S MAXIMUM POSITION OF WHAT IT CAN ACCEPT. TURKEY EXPECTED THAT FURTHER CONTACTS BETWEEN THE US AND TURKEY, THE GOVERNMENT OF CYPRUS, AND THE TFSC WOULD BE ON THE BASIS OF THIS FRAMEWORK. TURKMEN'S INSTRUCTIONS SUGGESTED THE US URGE THE GREEK SIDE TO ACCEPT REV. 3. TURKMEN VOLUNTEERED THAT REV.3 HAD BEEN DISCUSSED BY THE GOT AT THE HIGHEST LEVELS IN NICOSIA AND WITH FM CAGLAYANGIL AND THIS PAPER WENT AS FAR AS TURKEY COULD GO. TURKMEN CONCLUDED THAT THIS INSTRUCTIONS DID NOT GO INTO SUBSTANCE OR GREATER DETAIL.  
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6. AFTER WE RECOVERED FROM THIS TEMPORARY SETBACK, MEZVINSKY REVIEWED BRIEFLY THE NEAR AGREEMENT REACHED IN WORKING PAPER NO. 3, REV. 4 AND WE HOPED THAT HAVING COME THIS FAR WE COULD STILL MAKE IT TO THE FINAL GOAL. TURKMEN AGREED. HE SUGGESTED THE US MAKE HIGH-LEVEL APPROACHES IN ANKARA (SECRETARY GENERAL OF FOREIGN MINISTRY); AND WITH AMB. ESENBEL. TURKMEN UNDERSCORED THAT ONLY AT THE HIGHEST LEVELS IN THE MINISTRY COULD DECISIONS ON THESE KEY ISSUES IN ESTABLISHING THE COMMITTEE BE TAKEN. WE STRESSED TO TURKMEN THAT IT WAS OUR BELIEF THAT THE GREEK SIDE WAS SINCERE AND THAT THEY HAD SO INDICATED IN ACCEPTING A SERIES OF DRAFTING CHANGES, INCLUDING A MAJOR CONCESSION ON PROHIBITING DISENTERMENT DURING THE WORKING LIFE OF THE COMMITTEE.

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INFO AMEMBASSY ANKARA IMMEDIATE  
AMEMBASSY ATHENS  
AMEMBASSY NICOSIA IMMEDIATE

C O N F I D E N T I A L SECTION 2 OF 2 USUN 5158

TURKMEN SAID THERE WAS VIRTUALLY NOTHING FURTHER HE COULD DO. HE THEN PRODUCED A DRAFT RESOLUTION (SEPTTEL) TO BE TABLED IN THE THIRD COMMITTEE SHOULD OUR EFFORTS TO ESTABLISH A COMMITTEE ON MISSING PERSONS FAIL. WE DID NOT DISCUSS THE DRAFT RESOLUTION BEYOND CASTING DOUBTS ON THE WISDOM OF THE PROCEDURE AND ON ITS GARNERING MUCH SUPPORT.

7. FROM OUR DISCUSSIONS WITH PAPADOPOULOS AND TURKMEN, SEVERAL ADDITIONAL POINTS SHOULD BE NOTED. PARA 8 IN THE WORKING PAPER, AS REPORTED IN USUN 5107, SHOULD READ "THE ORDER OF INVESTIGATION WILL BE DECIDED BY THE COMMITTEE," ETC. THIS WORDING CONFORMS EXACTLY WITH REV. 3; PAPADOPOULOS SAID HE COULD LIVE WITH THIS, BUT HE WOULD LOSE GROUND BACK IN NICOSIA. ON PARA 9, PAPADOPOULOS PREFERS "STRICTLY" BE INSERTED BEFORE "CONFIDENTIAL," WITH THE SECOND SENTENCE TAKEN OUT ENTIRELY. HE AGREED THAT THIS WAS A MINOR ISSUE. PAPADOPOULOS SAID HE WOULD NEED AT LEAST ORAL ASSURANCES FROM THE TURKS CONVEYED THROUGH US THAT WHEN INVESTIGATIONS OF MISSING PERSONS LEAD TO TURKEY THAT THE GO WILL BE COOPERATIVE. WE HEDGED IN OUR REPLY TO THIS BUT HIS CONFIDENTIAL

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POINT WAS TAKEN.

8. WE NOW BELIEVE IT IS UP TO TURKEY TO MAKE A FINAL ASSESSMENT OF THE MERITS OF LAUNCHING THIS COMMITTEE. IF THEY STILL EXPRESS A STEADFAST INTEREST, THEN WE NEED GOT COOPERATION ON PARAS 2 AND 6. THE GREEKS SEEK TO ESTABLISH A COMMITTEE THAT COULD FUNCTION RELATIVELY SMOOTHLY AND WE BELIEVE THE TURKS ARE IN FUNDAMENTAL AGREEMENT. A VOTING PROCEDURE WHEN CONSENSUS IS NOT POSSIBLE, FREE ACCESS TO CONDUCT INVESTIGATIONS WHEREVER AND WITH WHOMEVER MIGH BE REQUIRED, AND EXHUMATION AS NECESSARY DO NOT SEEM UNREASONABLE IN ANY MISSING PERSONS OPERATION. THE GREEKS WERE WILLING TO EXCLUDE EXHUMATION FROM THE COMMITTEE'S JURISDICTION AS LONG AS THERE IS A CHANCE FOR DELAYED ACTION THROUGH THE ICRC. WE NOW THINK WE MUST TURN TO THE TURKS AND ASK THEIR SUPPORT FOR THE FIRST TWO QUESTIONS. WE WOULD SUGGEST THE DEPARTMENT TAKE IMMEDIATE ACTION TO BE INCONTACT WITH AMB. ESENBEL AND

TO INSTRUCT EMBASSY ANKARA TO MAKE A HIGHEST LEVEL POSSIBLE APPROACH TO THE MINISTRY IN A FINAL EFFORT TO REACH AGREEMENT.

9. A FINAL NOTE--WE HAVE KEPT THE UN SECRETARIAT AND THE ICRC IN NEW YORK INFORMED OF THE NEGOTIATING EFFORTS. BOTH HAVE BEEN SUPPORTIVE, ALTHOUGH THE ICRC CONTINUES TO REMIND US THAT ITS HEADQUARTERS IN GENEVA WOULD NEED SEVERAL DAYS OF ADVANCE WARNING BEFORE IT WOULD BE PREPARED TO ACT.

10. QUOTE COMMITTEE ON MISSING PERSONS  
WORKING PAPER NO 3, REV. 4

1. A COMMITTEE ON MISSING PERSONS IN CYPRUS WILL BE FORMED IMMEDIATELY CONSISTING OF THREE MEMBERS, THE GREEK  
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CYPRIOI AND TURKISH CYPRIOI COMMUNITIES WILL EACH APPOINT ONE HUMANITARIAN PERSON TO THE COMMITTEE. THE THIRD MEMBER WILL BE AN OFFICIAL OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS(ICRC). HIS SELECTION WILL BE AGREED TO BY THE TWO OTHER MEMBERS OF THE COMMITTEE.

2. THE DECISIONS OF THE COMMITTEE WILL BE TAKEN ON A "WITHOUT OBJECTION" BASIS TO THE EXTENT POSSIBLE.

3. EACH OF THE COMMITTEE MEMBERS CAN BE ASSISTED BY UP TO TWO STAFF ASSISTANTS AS NECESSARY. NO OTHER PERSONS WILL PARTICIPATE IN THE DELIBERATIONS OR INVESTIGATIVE WORK OF THE COMMITTEE. NO PERSON DIRECTLY INVOLVED WITH THE ISSUE OF MISSING PERSONS MAY BE APPOINTED AS STAFF ASSISTANT. THE COMMITTEE WILL NOT REQUEST OUTSIDE EXPERT ASSISTANCE.

4. THE COMMITTEE WILL NOT HAVE A CHAIRMAN. BUT THE MEETINGS WILL BE DIRECTED BY THE MEMBERS ON A ROTATING BASIS FOR A PERIOD OF ONE MONTH DURATION, THE FIRST DIRECTOR WILL BE THE REPRESENTATIVE OF THE ICRC, TO BE FOLLOWED BY THE TURKISH CYPRIOI MEMBER OR THE GREEK CYPRIOI MEMBER TO BE DETERMINED AT THE FIRST MEETING BY LOT.

5. THE THREE MEMBERS OF THE COMMITTEE WILL MEET IMMEDIATELY AND WILL CONTINUE IN REGULARLY-SCHEDULED SESSIONS FOR AS LONG AS REQUIRED.

6. ALL PARTIES CONCERNED SHALL COOPERATE WITH THE COMMITTEE TO ENSURE ACCESS THROUGHOUT THE ISLAND FOR THE INVESTIGATIVE WORK OF THE COMMITTEE.

7. THE COMMITTEE SHALL LOOK ONLY INTO THE CASES OF PERSONS REPORTED MISSING IN THE INTERCOMMUNAL FIGHTING AND IN THE EVENTS AFTER JULY 20, 1974.

8. THE ORDER OF INVESTIGATION OF CASES WILL BE DECIDED BY THE COMMITTEE, BUT IT IS AGREED THAT THE FIRST INVESTIGATIVE CASE WILL BE PUT FORWARD BY THE TURKISH CYPRIOI MEMBER OF THE COMMITTEE. THIS WILL

BE FOLLOWED BY A CASE PUT FORWARD BY THE GREEK CYPRIOT  
MEMBER. THE INVESTIGATIONS WILL ROTATE TO THE EXTENT  
POSSIBLE UNTIL ALL CASES HAVE BEEN EXAMINED.  
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9. THE COMMITTEE'S ENTIRE PROCEEDINGS AND FINDINGS  
WILL BE STRICTLY CONFIDENTIAL. ANY VIOLATION OF THIS RULE  
WOULD PLACE THE WORK OF THE COMMITTEE IN JEOPARDY.

10. THE COMMITTEE WILL DETERMINE WHETHER TO ISSUE  
PUBLIC STATEMENTS OR REPORTS WITHOUT PREJUDICE TO  
PARAGRAPH 9.

11. THE COMMITTEE WILL NOT ATTEMPT TO ATTRIBUTE  
RESPONSIBILITY FOR THE DEATHS OF ANY MISSING PERSONS OR  
MAKE FINDINGS AS TO THE CAUSE OF SUCH DEATHS.

12. NO DISINTERMENT OF MISSING PERSONS WILL TAKE PLACE.  
IF, UPON THE COMPLETION OF ITS WORK, THE COMMITTEE SO  
RECOMMENDS, THE ICRC, WITH THE COOPERATION OF THE PARTIES,  
WILL EXERCISE RESPONSIBILITY IN THIS MATTER.

13. THE COMMITTEE WILL USE ITS BEST EFFORTS TO DRAW  
UP COMPREHENSIVE LIST OF MISSING PERSONS OF BOTH  
COMMUNITIES, SPECIFYING AS APPROPRIATE WHETHER THEY ARE  
ALIVE OR DEAD, AND IN THE LATTER CASE, APPROXIMATE TIME OF  
THE DEATHS.

14. THE ESTABLISHMENT OF THE COMMITTEE WILL BE  
ANNOUNCED BY THE ICRC UPON AGREEMENT TO THIS WORKING PAPER  
BY THE TWO COMMUNITIES. UNQUOTE YOUNG

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## Message Attributes

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